TENNESSEE DEPARTMENT OF PUBLIC HEALTH

OFFICE CORRESPONDENCE

DATE:

November 21, 1979

10:

Saad Files

FROM:

Barry Sulkin

SUBJECT: Rutherford County

Illegal Dumping

0013 106 <u>36640</u> FROM DATE TO JEH Bws KLS

On November 13, 1979, Mr. George Haynes (331-3893) called me. Ha stated that he had worked for the John Saad Company for about a year and a half as a truck driver and foreman. He had quit in May of 1979 after a dispute with John P. over John cancelling employee insurance without telling the workers. Mr. llaynes' wife had a baby and found that they had no coverage. Mr. Haynes is currently suing Saad over the insurance matter, and asked that I keep all information confidential until after November 26, 1979.

According to Mr. Havnes, Saad had as many as 18 drivers at one time. During the fall of 1978 through the winter of 1979, approximately onehalf million gallons of waste were dumped on the property on Wade-Herrod Road in Rutherford County. The waste dumped was about the same as the contents of the Smyrna Airport tank. The waste came from Tyson Bearing, Drumco, Revere, and Carrier among others. Anything and everything they needed to dispose of went into these locations. The dumping stopped when WQC obtained the temporary injunction, and Saad's business greatly faltered.

Mr. Haynes stated that the two underground, upright tanks on Trousdale were known to have holes in them to leak the waste into the sink hole. The underground side-ways tank had no holes.

The dumping operation was controlled by Joe Herrod (who is married to John P.'s sister) and John P. never wanted to be told about it by anyone but Joe. Richard Saad had something to do with it, but not told much and probably knew little about it. Joe Herrod had been working for Saad about 2 years, and his only knowledge of chemistry was from the job. Joe was supposedly sending M&M samples of everything before hauling, but actually did not always. Joe had been a policeman, but was fired for a light with a Highway Patrolman. Haynes knew of no connection with any drug operation.

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Chemicals that could not be sold and were not dumped, such as the waste from Bonnell, would be mixed with and sold as waste oil. When asked if there were any other dump sites, Haynes said most everything went either to Trousdale, the Airport tank, the Wade-Herrod Dump, or to M&M. For a short time, chemicals were dumped off Bell Road about halfway between Murfreesboro Road and Hickory Hollow Mall on the North side in a garbage dump. The land was owned by Ezell Harding, and when the dumping was discovered, it was stopped, so little was put there.

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Wayne Bowles and I visted the Bell Road dump and found evidence of chemical dumping, but nothing recent, and no great quantity.

Others involved in the dumping were Cecil and J.D. Good who hauled from Drumco and Carrier (among others) and both still work for Saad.

After WQC's temporary injunction, Saad's operation and illegal dumping stopped. When Saad was given permission to do road spreading, things picked up again. Haynes said he did several oiling jobs, and occasionally Joe Herrod would tell him to spread other chemicals on roads. One road used was that of Vulcan Materials.

Mr. Haynes said that after his case comes to trial, he will be glad to talk with anyone. He also mentioned that he lives across the street from John P. Saad.

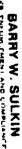
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CC: Lee Breckenridge, Attorney General's Office Terry Cothron, WQC

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BARRY W. SULKIN

TENNESSLE WATER POLITION CONTROL DIVISION

TEL FIMONE (61%) 741-2275



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TIME SENT: 2:20 pm

Tennessee Department of Health & Environment

BUREAU OF ENVIRONMENT

T.E.R.R.A. Building 150 Ninth Avenue North Nashville, TN 37219-5404

FAX PHONE NUMBER: 615/741-4608

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FROM: Barry Sulkin	PHONE NUMBER: (615) 741-788
If the following message is received is needed, please call: at 615/741-7883	
SPECIAL INSTRUCTIONS:	<u>'-'-</u>

July 23, 1980

Saad File

Barry W. Sulkin

Recon

On July 22, 1980, Ruth Yates of SWM and I visited the John P. Saad Oil Company on Trousdale. We inspected the site and met with John Saad. John tulil us that he is presently out of money (the deal with Mr. Pettit fell through due to his filing personal bankruptcy) and thus no work is now being sione. However, he (John) is now selling stock in his company and within 30 days will have all the barrals and chemicals shipped to MAM, a new filter system installed on Trousdale for discharge to Metro, and the Smyrna tank taken care of. He said that there is about \$20,000 worth of oil in the tank - more than enough to complete the clean-up, its will not begin any movement of liquids from the tank without contacting us.

On the froudule site, it was raining hard, and there was a heavy flow into the oil/water separator. There were 75 to 100 barrels on the let - will of them full that we opened and only about 8 or 10 were not covered. Everything else looked unchanged.

8WS/01 3-4

June 4, 1980

J. P. Saad File

Barry W. Sulkin

Clean-up of Contaminated Ditch Behind Kline's Coach Service

After failing in court to prove that J. P. Saad put the chemicals in the ditch, I called EPA in Atlanta and spoke to Al Smith on April 14, 1980. He informed me that such a clean-up may be possible under Federal funds. He would check with others in his office and check back with me.

On May 20, 1980, I spoke with George Moein about this clean-up and he told me to call Alan Bartlet in Atlanta.

On May 23, 1980, I spoke to Alan Bartiet and he said that he had requested action and was waiting on a response.

On June 3, 1980, I called Al Smith and inquired again about the situation. He said he would check on it and get back with me. A few minutes later Alan Bartiet called back and asked for full details regarding the ditch and analysis of the contents. He said that someone from EPA would be up here soon.

BW5/dj 3-2

Petruary 23, 1980

Bill Berrick, Assistant Attorney General

D. Elmo Lunn, Director, Division of Water Quality Central

John P. Seed Case

As a result of recent litigation, Agreed Order 79-99-II replaced the Temperary Injunction in effect. Among other items called for by the Agreed Order was the stipulation that the "defendants shall, on or before the 1st day of January, 1980, begin mixing non-chlorinated selvents with the liquid materials new told in barrols and tanks on the Trousdale site complete mixing and delivery of all liquid materials to M&M Chemical Company within thirty (30) days of the date of initiating mixing"

An inspection by Sold personnel of WQC's Nashville Basin Office on February 22, 1980 revealed that the above item had not been completed. Barrels remained as they had been provious to the Agreed Order and many contained liquid material. In addition, there was evidence that waste oil from the oil/water treatment unit had been illegally discharged at the rear of the property and allowed to scale into the plate hale area.

In view of these findings, and the history of this case, it is now the opinion of this Division that two actions are needed immediatelys

- Revoke Agreed Order 79-498-II as the defendants have not properly performed all items called for in the Agreement.
- Immediately pursue criminal penaltics against the defendants for poliction of groundwater at the Transdaje site in Davidson County, and the Smyrna site in RutherSeri County.

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